

OFFICE OF THE DIRECTOR

DEPARTMENT OF MOTOR VEHICLES

P.O. BOX 932328

SACRAMENTO, CA 94232-3280

**TITLE 13: DEPARTMENT OF MOTOR VEHICLES****NOTICE IS HEREBY GIVEN**

The Department of Motor Vehicles (the department) proposes to adopt Section 157.00 in Article 3, Chapter 1, Division 1, Title 13 of the California Code of Regulations to clarify the registration of privately owned firefighting vehicles.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a hearing will be held if the department receives a written request for a public hearing from any interested person or his or her duly authorized representative, no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested person may submit written comments relevant to the proposed action to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m. on January 27, 2003, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt this regulation under the authority granted by Section 1651 of the Vehicle Code in order to implement, interpret or make specific Section 4015 of the Vehicle Code.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Vehicle Code Sections 4015 allows privately owned vehicles to be exempt from registration when the vehicles are being used for firefighting purposes. The proposed regulation defines a firefighting vehicle as stated in Government Code Section 8589.10(c) and provides a listing of privately owned firefighting vehicles that are subject to registration.

FISCAL IMPACT

- Cost or Savings to any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impacts on Representative Private Persons or Businesses: None. "The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action."

- Effect on Housing Costs: None.

DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action has no effect which would have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. No studies or data were relied upon in making this determination.
- The proposed regulatory action will neither create nor eliminate jobs or businesses in the state of California, will not result in the elimination of existing businesses, and will neither reduce nor expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action will have no effect on small businesses. The regulatory action is intended to clarify registration issues for private businesses who use vehicles for firefighting purposes.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries relevant to the proposed regulatory action should be directed to departmental representative Bonnie DeWatney, Department of Motor Vehicles, Regulations Unit, Mail Station E-244, P.O. Box 932382, Sacramento, California 94232-3820 or 916-657-8954 or e-mail bdewatney@dmv.ca.gov. In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, at 916-657-5690 or e-mail at dbaity@dmv.ca.gov. Substance questions may be addressed to either of the above contacts. The fax number for the Regulations Branch is 916-657-1204.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The department has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public, upon request, the express terms of the proposed action using underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public, upon request, the initial statement of reasons and final statement of reasons once it has been prepared and submitted to the Office of Administrative Law, and the location of public records, including reports, documentation, and other materials related to the proposed action (Rulemaking File). In addition, the above-cited materials (Notice, Initial Statement of Reasons and Express Terms) may be accessed at www.dmv.ca.gov, Other Services, Legal Affairs Division, Regulatory Notices web page.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the full modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulation. Requests for copies of any modifications to the regulation should be directed to the department contact person identified in this notice. The department will accept written comments on the modified regulation for 15 days after the date on which it is first made available to the public.